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JUNE 29, 2005	
CLERK US DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>/s/ D. Lucas</u> DEPUTY	

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

In the matter of)
ADOPTION OF EMERGENCY)
AMENDMENTS TO THE LOCAL)
RULES OF PRACTICE TO FACILITATE)
ELECTRONIC CASE FILING IN THE)
DISTRICT OF ARIZONA)
_____)

GENERAL ORDER 05-17

Rules 5 and 83 of the Federal Rules of Civil Procedure, and Rules 49 and 57 of the Federal Rules of Criminal Procedure, authorize courts to establish practices and procedures for filing, signing, and verifying documents by electronic means. Consistent with the general authorization contemplated by these federal rules, this Court will implement an electronic case filing (ECF) system. Effective August 1, 2005, all attorneys appearing before this Court must file documents electronically. To facilitate electronic filing, the Court has established rules and policies by which practitioners must abide.

IT IS THEREFORE ORDERED that the attached amendments to the Local Rules of Practice for the District of Arizona are hereby adopted by the Court pursuant to Local Rule of Civil Procedure 83.9(c) - Emergency Amendments. The following is a summary of the approved amendments, which are to be effective on August 1, 2005:

- **LRCiv 5.4** - Excepts routine discovery notices from the (paper) courtesy copy requirement.
- **LRCiv 5.5** - Authorizes electronic filing in the District of Arizona; authorizes an Administrative Policies & Procedures Manual; establishes registered user eligibility; requires password security; establishes that a registered user's system log-in and password constitute an electronic signature; and provides for electronic service of documents by registered users.

LRCiv 5.4

FILING; COPY FOR JUDGE

Except for routine discovery notices, a clear, legible copy of every pleading or other document filed shall accompany each original pleading or other document filed with the Clerk for use by the District Judge or Magistrate Judge to whom the case is assigned and additional copies for each Judge in three-judge cases.

LRCiv 5.5

ELECTRONIC FILING

(a) Electronic Case Filing Administrative Policies and Procedures Manual. The Clerk of Court is authorized to develop, publish and implement an Electronic Case Filing Administrative Policies and Procedures Manual for the District of Arizona (Administrative Manual).

(b) Filing of Documents Electronically. The Court will accept for filing documents submitted, signed or verified by electronic means consistent with these rules and the Administrative Manual. Filing of documents electronically in compliance with these rules and the Administrative Manual will constitute filing with the Court for purposes of Rule 5(e) of the Federal Rules of Civil Procedure.

(c) Scope of Electronic Filing. All cases filed in this Court will be maintained in the Electronic Case Filing (ECF) System in accordance with these rules and the Administrative Manual.

(d) Registered User Eligibility. Attorneys admitted to the bar of this Court and attorneys and certified students permitted to practice in this Court under Local Rule 83.1(b) are eligible to become Registered Users of the ECF system. Unless the Court orders otherwise, parties appearing without an attorney shall not file documents electronically.

(e) Registration. Applicants shall register to file

electronically in a form prescribed by the Clerk of Court.

(f) Password Security. Registered Users shall protect the security of their passwords and shall immediately notify the Clerk of Court if they learn that their password has been compromised.

(g) Signatures. The log-in and password required to submit documents to the ECF System constitute the Registered User's signature on all electronic documents filed with the Court for purposes of Rule 11 of the Federal Rules of Civil Procedure. Documents signed by an attorney shall be filed using that attorney's ECF log-in and password and shall not be filed using a log-in and password belonging to another attorney. No person shall knowingly permit or cause to permit a Registered User's password to be used by anyone other than an authorized agent of the Registered User.

(h) Service of Electronic Filings. Registration as an ECF user constitutes consent to the electronic service of all documents through the Court's transmission facilities for purposes of Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure. Transmission of the Notice of Electronic Filing to a Registered User's e-mail address constitutes service of the hyperlinked document(s). Only the Notice of Electronic Filing, generated and transmitted by the ECF system, is sufficient to constitute electronic service of an electronically filed document. Non-registered users shall be provided notice of the filing by other means in accordance with the Federal Rules of Civil Procedure.

LRCiv 7.1

FORMS OF PAPERS

(a) **Title Page.** The following information shall be stated upon the first page of every document and may be presented for filing single-spaced*:

(1) The name, address, e-mail address, State Bar Attorney number, telephone number, and optionally the fax ~~facsimile~~ number ~~and electronic mail address~~, of the attorney appearing for the party in the action or proceeding and whether the attorney appears for the plaintiff, defendant, or other party - in propria persona - shall be typewritten or printed in the space to the left of the center of the page and beginning at line one (1) on the first page. The space to the right of the center shall be reserved for the filing marks of the Clerk.

* * * *

(b) Pleadings and Other Papers.

* * * *

(3) Proposed orders prepared for the signature of a United States District Judge or a Magistrate Judge must be prepared on a separate document containing the heading data required by subparagraphs (a)(2) and (3) above as appropriate, and must not be included as an integral part of stipulations, motions, or other pleadings. The proposed order must not contain any information identifying the party submitting the order. Proposed orders submitted electronically must not contain a date or signature

block. All other proposed orders must contain tThe following
uniform signature block ~~must be contained in the proposed order as~~
~~indicated below~~ (Magistrate Judges should be adapted accordingly):

DATED this _____ day of _____, 20____.

(Judge's Name)
United States District Judge

(c) **Electronic Documents.** Documents submitted for filing in
the ECF System shall be in a Portable Document Format (PDF).
Documents which exist only in paper format shall be scanned into
PDF for electronic filing. All other documents shall be converted
to PDF directly from a word processing program (e.g., Microsoft
Word® or Corel WordPerfect®), rather than created from the scanned
image of a paper document.

~~(c)~~(d) **Attachments to Pleadings and Memoranda.**

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LRCiv 83.3

APPEARANCE BY ATTORNEY OR PARTY; NAME AND ADDRESS CHANGES;

CONTROL OF CAUSE

(a) **Attorney of Record; Duties of Counsel.** Except as provided below, no attorney shall appear in any action or file anything in any action without first appearing as counsel of record. In any matter, even if it has gone to judgment, there must be a formal substitution or association of counsel before any attorney, who is not an attorney of record, may appear. An attorney of record shall be deemed responsible as attorney of record in all matters before and after judgment until the time for appeal or until there has been a formal withdrawal from or substitution in the case. Notwithstanding the provisions of paragraph (b) of this Local Rule, whenever a federal, state, county or municipal law office headed by a public officer who has appeared as counsel of record, or a private or public law firm that has been retained by a party and has appeared as counsel of record while remaining counsel of record wishes to substitute or associate an attorney who is a member of, associated with, or otherwise employed by that office or firm such substitution or association may be accomplished by timely filing a notice of substitution or association with the Clerk of the Court. The notice shall state the names of the attorneys who are the subjects of the substitution or association and the current ~~mailing~~ address and e-mail address of the attorney substituting or associating. An occasional court

appearance or filing of a pleading, motion or other document as associate counsel at the request of an attorney of record shall not require the filing of a notice of association.

* * * *

(d) **Changes of Name, Affiliation, Address.** Any ~~attorney or~~ unrepresented party in an action pending in this District must file and serve a written notice advising if he or she has a change in name or address. ~~or~~ Any attorney in an action pending in this District must file and serve a written notice advising if he or she has a change in name, firm name, or address or e-mail address if an attorney. The attorney's State Bar Attorney number must appear on such notification. The notice must be filed ten (10) days before the move becomes effective, and include all case numbers of all pending matters in which the unrepresented party or the attorney has appeared. An attorney whose name, address, e-mail address, firm name or address has changed must also update the information through the Electronic Case Filing System utility menu.

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LRCrim 12.1

FORMS OF PAPERS AND MOTIONS

With regard to Forms of Papers and Motions, see Rules 7.1 and
7.2~~7~~ of the Local Rules of Civil Procedure.

LRCrim 47.1

FORMS OF PAPERS AND MOTIONS

With regard to Forms of Papers and Motions, see Rules 7.1 and 7.2 of the Local Rules of Civil Procedure.

LCrim 49.3

ELECTRONIC FILING AND SERVICE

With regard to electronic filing and service, see Rule 5.5 of the Local Rules of Civil Procedure.